

REMARKS

This is in response to the action mailed April 6, 2006. Claims 1-20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Varga et al., U.S. Patent No. 6,181,981 ("Varga").

Varga is related to improved inventory maintenance of vending machines. In Varga, vending machines are provided with a means for communicating with a remote processing center. A system in each vending machine monitors and reports activity of the machine. The activity is communicated to the remote processing center via the means for communicating and the processing center stores the information related to the activity. The stored information is used to efficiently service the vending machines.

The present invention is directed to a system and method of permitting supplier entities (vendors) who are *supplying* a product to monitor the inventory of users (buyers) who are purchasing the product. The *vendors* are given permission to monitor the inventory of the *buyers* according to preauthorized permissions and can take action to resupply the buyers according to monitored changes in inventory.

The presently claimed invention is opposite that shown in Varga. Varga teaches that a centralized processing center monitors the inventory of vending machines and can anticipate when restocking is needed of the machines. The present invention is a system which permits suppliers to monitor the inventory of their customers. A key claimed feature of the present systems and methods requires that the suppliers monitor and act according to preauthorized permissions. In this way, the suppliers do not need to receive a purchase order to resupply their customers, because they can monitor inventory of their customers and act when needed. This feature, at least, is completely absent in Varga and not suggested by Varga or any other reference cited in the action.

The action asserts that Fig. 1 shows receiving information from one or more of the vendors, the information characterizing the one or more products and being of a *static nature*. Contrary to the action, Fig. 1 shows a communicating data with respect to *sales and other machine conditions* to a remote processing center. *Sales and other machine conditions are not static*. So this feature is not shown in Varga as is asserted by the action.

The action asserts that Fig. 1, 10 shows receiving a request for a portion of the stored information. Contrary to the action, Fig. 1 shows no receipt of a request and in fact, 10 corresponds to a storage compartment where presumably stored goods are stored in compartment of the vending machine. So this feature is not shown in Varga as is asserted by the action.

The action asserts that Fig. 1, 60 shows retrieving the portion of the stored information corresponding to the request and using the retrieved portion of the stored information to maintain a dynamic record of product parameters. Contrary to the action, Fig. 1, 60 shows a dispensing means like the mechanism of a vending machine which drops candy down a chute. So this feature is not shown in Varga as is asserted by the action. Varga does disclose the conventional use of inventory and other information to schedule restocking trips to vending machines, when the machines signal that they are nearly empty, which is a opposite objective and method than the present invention.

The action asserts that Varga shows selective access to the dynamic record of product parameters, but ignores that the claims specify that *access is selectively given to the vendors*. Contrary to the action, Col. 2:41-46 is silent regarding selective access and between which parties, if any, access is granted other than the company which keeps the vending machines stocked. So this feature is not shown in Varga as is asserted by the action.

The action states that Varga shows that access is provided between a subscriber (100) and the sources (40), but contrary to this statement, 100 corresponds to the entire Varga system, including vending machines and a processing center and 40 is a pricing mechanism in the vending machine. It is not made evident how this statement shows any elements or relationships of the presently claimed invention. The invention includes methods and systems for transferring

information between buyers (example: a hospital) and vendors (example: blood products). In an example of the present invention, the blood product vendors can monitor selectively the blood inventory of its customers and take action to resupply the inventory without getting a request from its customers. It is not clear how a vending machine and vending machine inventory system is even remotely analogous to this.

To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. As shown above, most of the claimed elements of the present invention have not been demonstrated in the action to be present in Varga. Furthermore, the examiner admits in the final paragraph of part 3 of the action, that Varga does not disclose pre-authorized permissions. Therefore, there is no *prima facie* obviousness.

Then, in order for Varga to render Claims 1-20 unpatentable under 35 U.S.C. § 103(a), the *reference* must supply all some teaching, suggestion or motivation to modify the reference to supply all of the claim limitations of the present claims. The examiner proposes that it would be obvious to provide the system of Varga (one must consider the references as a whole) with pre-authorized permissions because it would prevent vending machines from accessing information that they should not have access to. Even considering Varga broadly, there is no teaching or suggestion that the system sends selective information to the vending machines. There is no teaching or suggestion that the vending machines receive selective information. There is no teaching or suggestion that the vending machines act on the selective information. So, to assert that the Varga system would benefit somehow by having pre-authorized permissions for the vending machine to access and use selective information of the central processing inventory system simply does not follow any discernable line of reasoning.

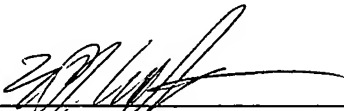
Appln. No. 10/810,353
Notice Mailed April 6, 2006

Applicants request reconsideration of pending Claims 1-20 and issuance of a Notice of Allowance. If for any reason the Examiner is unable to allow the case, the Applicants request that the Examiner please contact Applicants' attorney at (312) 673-0360.

Respectfully submitted,

Dated: October 6, 2006

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